

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Felicia Gross and Kenneth Gross,

Plaintiffs,

ORDER

-against-

18 Civ. 3579 (AEK)

David Derhagopian,

Defendant.

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THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.

The Court has reviewed the parties' recent submissions, *see* ECF Nos. 83-86, and it is clear that a conference is necessary to address the next steps in this matter. Accordingly, a telephonic status conference is hereby scheduled for **Friday, March 19, 2021, at 11:00 a.m.**

To access the teleconference, please follow these directions: (1) dial the meeting number: (877) 336-1831; (2) enter the access code: 2751700#; and (3) press pound (#) to enter the teleconference as a guest. Should counsel experience any technical issues with the teleconferencing system, please contact Chambers at (914) 390-4070.

As for the issue of direct communication between counsel for Plaintiffs and the Defendant, the Court is not prepared at this time to wade into questions of Florida law regarding trusts and/or whether there are any issues presented by Mr. Ackal's representation of Mr. Derhagopian individually and as trustee of the Trust for purposes of this litigation. It is clear that Mr. Derhagopian is a represented party in this matter, and Mr. Ackal has reported that this representation encompasses both Mr. Derhagopian in his individual capacity and in his capacity as trustee of the Trust. Based on that assertion, should Plaintiffs' counsel wish to communicate with Mr. Derhagopian in either of these capacities between now and the March 19, 2021

conference, those communications may only be made through counsel. If necessary, the Court will hear further argument on this issue at the status conference, but at this stage of the litigation, this appears to be an ancillary issue that should not interfere with the completion of discovery and the setting of a schedule for summary judgment motions. The parties are therefore ordered to meet and confer by telephone—not merely by exchanging letters and/or emails—no later than Wednesday, March 17, 2021 to discuss this issue further, and are strongly encouraged to resolve the issue without significant further expenditure of time or resources.

Dated: March 15, 2021
White Plains, New York

SO ORDERED.



ANDREW E. KRAUSE
United States Magistrate Judge